

2/13/99
IN RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of
Golupski Road
(2229 & 2331 Phillips Road)
15th Election District
5th Councilmanic District

Patrick J. Malec, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-207-SPH
*

* * * * *

ORDER ON THE MOTION FOR RECONSIDERATION

This matter comes before the Zoning Commissioner on a Motion for Reconsideration of the Findings of Fact and Conclusions of Law issued in the above-captioned matter on March 23, 1999. On that date, I denied a Petition for Special Hearing filed by the owners of the subject property, Patrick J. Malec, and his wife, Frances Malec. That Petition requested approval of "the nonconforming use of two dwellings on a lot, a nonconforming setback, and proposed subdivision of said lot", in accordance with the site plan submitted into evidence and marked as Petitioner's Exhibit 1.

The property at issue is a waterfront lot, consisting of a gross area of approximately 9.99 acres, zoned R.C.20. The property is located in Essex in the vicinity of Holly Neck Road and Golupski Road, near the end of Phillips Road with frontage on Browns Cove. Presently, the property is improved with two structures, known as 2229 and 2331 Phillips Road. It is to be noted that the second structure was inadvertently identified throughout my prior Order as 2231 Phillips Road, when in fact, it should have been identified as 2331 Phillips Road. Therefore, any prior references to 2231 Phillips Road should be construed to refer to 2331 Phillips Road.

Mr. & Mrs. Malec apparently acquired the subject property from a prior owner (Phillips) in November, 1997. The single family dwelling known as 2229 Phillips Road is a one and one-half story stone and frame dwelling that is situated approximately 700 feet from the water's edge. That structure is currently occupied by Mr. Malec's sister. The second building (2331 Phillips Road), is located closer to the water (34 feet) and can be best described as a shack. Under the original Petition, Mr. & Mrs. Malec proposed to raze that structure, subdivide the property into two lots, and construct a new

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Date

By

single family dwelling in its place. However, for the reasons fully set out in my original opinion, I denied the relief requested.

Following the issuance of that Order, the Petitioners engaged legal counsel (Benjamin Bronstein, Esquire), and filed the instant Motion for Reconsideration seeking approval to reconvene the matter for further proceedings. The Motion was granted and the matter scheduled for further proceedings on June 15, 1999. The Petitioners appeared at those further proceedings, as did their site engineer, Thomas A. Church, and their counsel, Benjamin Bronstein, Esquire. Also present in support of the Petition were Frank Dorn and Raymond Garcia, nearby residents of the area. In addition, Leroy Sennett of the Back River Neck Peninsula Community Association appeared.

At the reconvened hearing, Mr. Bronstein, on behalf of his client, amended the relief requested within the Petition for Special Hearing. Apparently recognizing that a subdivision of the subject property was not legally permissible, the Petitioners deleted that portion of the request, and sought approval only of the nonconforming use of the property for two dwellings, and a nonconforming setback.

Mr. Malec also testified and presented a series of photographs of the structure known as 2331 Phillips Road. This is the small shack which is located closest to the water. The photographs submitted show that the building is served by electricity and has a pump to supply potable water. Photographs were also submitted of the interior of the structure, including the living room and bedroom areas, and the kitchen. Mr. Malec testified that he has used this house periodically as a residence. He indicated that he works nearby and has frequently spent the night in that building in lieu of going to his primary place of residence. He also indicated that the structure is habitable with sufficient utilities to permit human occupancy and that the structure has not been abandoned from its use as a residence.

Testimony offered by Mr. Dorn was that he has lived across the creek from the subject property at 2406 Golupski Road since 1951. Mr. Dorn testified that his family owns other properties in the area, and that he has been familiar with the Malec property for many years. He indicated that Mr. Phillips (the former owner, now deceased) lived in the house for many years, up until the time he died earlier this year.

Mr. Dorn's testimony was echoed by Mr. Raymond Garcia, who also lives across the creek from this site. Mr. Garcia indicated that the house known as 2331 Phillips Road was used over the summer months as a shore home. The Petitioners also submitted an affidavit from George P. Zahbaka, who resides at 2300 Golupski Road. Mr. Zahbaka's affidavit is similar to the testimony offered by Messrs. Garcia and Dorn, that 2331 Phillips Road has been used periodically as a residence.

In that the request for approval to subdivide the property has been withdrawn, the narrow issue on which this case turns relates to the nonconforming use of the two dwellings on the property, and the nonconforming setback for the building known as 2331 Phillips Road. As discussed in my prior opinion, nonconforming uses are defined in Section 104 of the B.C.Z.R. and regulated in Section 104 thereof. Essentially, the nonconforming use designation is applied to legitimize or grandfather an otherwise illegal use. That is, if a use is prohibited under the current zoning regulations, it may continue only if same existed prior to the date of the zoning regulations which prohibited the use. Simply stated, if the Petitioner can establish that a presently illegal use predated the date of the law which renders that use illegal, such use may continue.

It is clear that two dwellings are not permitted in the R.C.20 zone as set out in Section 1A05.4.B.1 of the B.C.Z.R. I am also troubled by the testimony offered by Mr. Malec at the initial hearing. Thereat, testimony was offered by the Petitioners sufficient to allow this Zoning Commissioner to conclude that the dwelling known as 2331 Phillips Road was not habitable and had not been occupied for several years.

Contrary testimony was offered at the reconvened hearing. Additionally, two new witnesses were produced (Messrs. Dorn and Garcia) and the affidavit from Mr. Zahbaka was offered. It is the responsibility of this Zoning Commissioner to determine the credibility of these witnesses. Although Mr. Malec has a significant vested financial interest in the decision to be rendered sufficient to raise questions of his credibility, there is apparently no interest in the property by the independent witnesses.

The crux of this case relates to the language found in Section 104.1 of the B.C.Z.R. That Section indicates that the right to continue a nonconforming use shall be forfeited upon any abandonment or discontinuance of the nonconforming use for a period of one year or more. Nonconforming uses are not favored by law. See McKemy v. Baltimore County, 39 Md. App. 257

(1978). Nonconforming uses are contrary to the zoning scheme and clear purpose of the zoning regulations. Nonetheless, nonconforming uses are a valid zoning tool and should be applied in those cases where facts and circumstances warrant.

Section 104.1 of the B.C.Z.R. is written in the disjunctive. That is, the nonconforming use is forfeited upon either the abandonment or discontinuance of such nonconforming use for a period of one year or more. The Appellate Courts of this State have discussed the concept of abandonment in Landay v. Board of Zoning Commissioners, 173 Md. 460 (1938). The Court of Appeals held that abandonment depends upon the concurrence of two factors; one, an intention to abandon or relinquish, and two, some overt act or some failure to act. The cases since that time have generally supported that principle.

In this case, I do not find any intent by either Mr. and Mrs. Malec, or Mr. Phillips, the prior owner, to abandon the use of the building known as 2331 Phillips Road, as a single family dwelling. There is no evidence in the record before me (of the testimony offered at either hearing) that any owner of the property intended to forfeit, surrender or abandon the use of 2331 Phillips Road, as a single family structure. Thus, I find no abandonment. The more difficult question is presented as it relates to the other prong of the language contained in Section 104.1 of the B.C.Z.R. As noted above, the nonconforming use is not only lost upon the abandonment of that use, but the mere discontinuance of such use for a period of one year or more will result in the forfeiture of the nonconforming use. The question presented here is whether the use of the structure known as 2331 Phillips Road as a residence has been discontinued for a period of at least one year. Testimony and evidence offered at the first hearing led me to the conclusion that there indeed had been discontinuance. At the second hearing, Mr. Malec testified that he periodically used the structure as a residence. More importantly, however, was the testimony of the two neighbors and the affidavit of Mr. Zahranka. That testimony was unequivocal that the property had been used on at least a periodic basis for residential purposes.

Although this is a close case, I am inclined to give Mr. Malec the benefit of the doubt. Indeed, it is unfortunate that he cannot proceed with his initial plans to raze the existing structure and construct a new building in its place. From an environmental and aesthetic standpoint, that would be most preferable. However, I cannot bend the zoning regulations to allow the subdivision and accommodate

the Petitioners' original plans. In recognition of this, the requested approval of the subdivision has been withdrawn, and thus, will be dismissed hereinafter. The Petitioners want, at this time, only the ability to keep what presently exists on the property. I am inclined to grant that request. Obviously, any expansion of either building would be subject to the provisions of Section 104 of the B.C.Z.R.

13th THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of September, 1999 that the Petition for Special Hearing, as amended, to approve two dwellings on the subject property and the existing setbacks as legal and nonconforming, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the relief requested within the Petition for Special Hearing to approve the subdivision of the subject property to create two separate lots, each with one dwelling thereon, be and is hereby DISMISSED; and, •

IT IS FURTHER ORDERED that any expansion of either structure shall be subject to the provisions of Section 104 of the B.C.Z.R.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Benjamin Bronstein, Esquire, George & Bronstein
29 W. Susquehanna Avenue, Suite 205, Towson, Md. 21204
Mr. & Mrs. Patrick J. Malec, 2229 Phillips Road, Baltimore, Md. 21221
Mr. Thomas A. Church, Development Engineering Consultants, Inc.
6603 York Road, Baltimore, Md. 21212
Mr. Frank Dorn, 2406 Golupski Road, Baltimore, Md. 21221
Mr. Raymond Garcia, 2410 Golupski Road, Baltimore, Md. 21221
Mr. George P. Zaharka, 2300 Golupski Road, Baltimore, Md. 21221
Mr. Carl Maynard, 1546 Denton Road, Baltimore, Md. 21221
Mr. Leroy Sennett, 1716 Beachwood Avenue, Baltimore, Md. 21221
People's Counsel; Case File

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9/13/99
[Signature]

IN RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of
Golupski Road
(2229 & 2231 Phillips Road)
15th Election District
5th Councilmanic District

Patrick J. Malec, et ux.
Petitioners

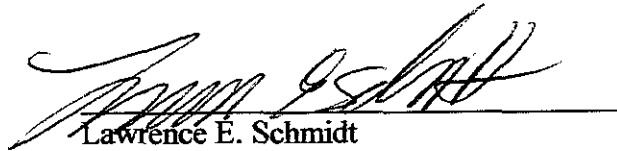
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO.: 99-207-SPH

* * * * *

ORDER

ORDERED, by the Zoning Commissioner for Baltimore County this 20th day of
April, 1999, that the Order filed in this proceeding on March 23, 1999 be and is hereby
rescinded; and

IT IS FURTHER ORDERED, that the case be set in for hearing on the Petition for
Reconsideration.


Lawrence E. Schmidt
Zoning Commissioner for Baltimore County

cc: Benjamin Bronstein, Esquire

1/23/99
IN RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of
Golupski Road
(2229 & 2231 Phillips Road)
15th Election District
5th Councilmanic District

Patrick J. Malec, et ux.
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* CASE NO.: 99-207-SPH

* * * * *

PETITION FOR RECONSIDERATION

Petitioners, Patrick J. Malec and Frances Malec, his wife, by Benjamin Bronstein, and George & Bronstein, LLP, their attorneys, moves for reconsideration of the Order of the Zoning Commissioner dated March 23, 1999.

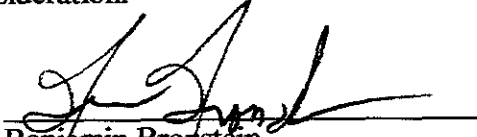
1. The Zoning Commissioner passed an Order dated March 23, 1999 denying a Petition for Special Hearing to approve two dwelling houses on the subject property as legal and non-conforming and to permit the subdivision of said property to create two separate lots.

2. The Petitioners were not represented at the time of hearing and were not prepared to respond to comments made by the Department of Environmental Protection and Resource Management and other agencies.

3. The issue of subdivision was not properly before the Zoning Commissioner.

4. Petitioners request and beseech the Zoning Commissioner to reconsider his Order and grant them an opportunity to fully present their case.

5. Petitioners further request the Zoning Commissioner rescind his Order of March 23, 1999 pending the hearing on this Petition for Reconsideration.


Benjamin Bronstein
George & Bronstein, LLP
207 Susquehanna Building
29 West Susquehanna Avenue
Towson, Maryland 21204
(410) 296-0200

Attorney for Petitioners



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

April 20, 1999

Benjamin Bronstein, Esquire
George & Bronstein
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of Golupski Road
(2229 and 2231 Phillips Road)
15th Election District – 5th Councilmanic District
Patrick J. Malec, et ux - Petitioners
Case No. 99-207-SPH

Dear Mr. Bronstein:

This office is in receipt of the Petition for Reconsideration you filed on behalf of the property owners in the above-captioned matter. In light of the representations made therein, I am persuaded to grant your request and will strike the Order issued on March 23, 1999.

Please be advised that a hearing on the Motion has been scheduled for Wednesday, May 19, 1999 at 9:00 AM in Room 106 of the County Office Building. By copy of this letter, all parties have been notified of the continued hearing date and time. Although I will not require that the property be readvertised, I will require that the property be reposted with a notice announcing the continued hearing date and time. Thank you for your attention in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Patrick J. Malec
2229 Phillips Road, Baltimore, Md. 21221
Mr. Thomas A. Church, Development Engineering Consultants, Inc.
6603 York Road, Baltimore, Md. 21212
Mr. Carl Maynard, 1546 Denton Road, Baltimore, Md. 21221
Mr. Leroy Sennett, 1716 Beachwood Avenue, Baltimore, Md. 21221
People's Counsel; Case File

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IN RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of
Golupski Road
(2229 & 2231 Phillips Road)
15th Election District
5th Councilmanic District

Patrick J. Malec, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-207-SPH

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Patrick J. and Frances Malec. The Petitioners seek approval of two dwellings on the property as legal and nonconforming, and to permit the subdivision of said property to create two separate lots, each with one dwelling thereon. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Patrick and Frances Malec, owners of the subject property, and Thomas A. Church, Professional Engineer, who prepared the site plan. Appearing as Protestants in the matter were Carl Maynard, President of the Back River Neck Peninsula Community Association, and Leroy Sennett, a member of the same organization. Both Mr. Maynard and Mr. Sennett reside in the area.

Testimony and evidence presented revealed that the subject property is a waterfront parcel consisting of a gross area of 9.99 acres, more or less, zoned R.C.20. The property is located in the vicinity of Holly Neck Road and Golupski Road, near the end of Phillips Road in Essex and is presently improved with two single family residences, known as 2229 and 2231 Phillips Road. The dwelling known as 2229 Phillips Road is occupied by the Petitioners, and is located a substantial distance from the water, approximately 700 feet. As shown on the site plan, the dwelling sits immediately adjacent to Phillips Road. The second dwelling, identified as 2231

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Date 3/23/99

Phillips Road, is presently unoccupied. That dwelling is located approximately 34 feet from the water and was apparently used as a shore home. It does not have indoor plumbing. Moreover, that dwelling has become dilapidated and uninhabitable and has not been occupied since 1994. The balance of the property is improved with two garages, a shed, and a pier which extends into Browns Cove.

Mr. & Mrs. Malec acquired the property in November, 1997. Prior to that date, the property was owned by the Phillips family, who apparently leased the shore home to a tenant for many years. The Petitioners request special hearing relief as noted above. They propose to subdivide the property to create two lots, each with one dwelling thereon. Proposed Lot 1 will contain 5 to 6 acres in area, and the existing improvements known as 2229 Phillips Road. Lot 2 will contain the remaining 4 to 5 acres in area, and the dilapidated dwelling, which the Petitioners propose to raze and replace with a new, two-story dwelling. That dwelling will be set back from the water a distance of approximately 620 feet. No doubt the Petitioners intend on selling Lot 2, once these improvements have been completed. However, in order to proceed with these plans, the Petitioners seek approval of the two dwellings on one lot as a nonconforming use, a nonconforming setback for the dwelling known as 2229 Phillips Road, and the proposed subdivision to create two lots.

As noted above, Messrs. Maynard and Sennett appeared in opposition to the Petitioners' request. They believe that the Petitioners' plans contradict the spirit and intent of the R.C. 20 zoning classification. They are also specifically concerned about over-development in the area. It should also be noted that an adverse Zoning Plans Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Resource Management (DEPRM), dated December 14, 1998, which set out a series of objections to the Petitioners' plans. Those objections include a requirement that any development of the property comply with the Chesapeake Bay Critical Area regulations, and that each lot pass a percolation test in that a 10,000 sq.ft. septic reserve area must be established for each dwelling. More importantly, the DEPRM comment notes that the R.C.20 classification of this property limits density to one

dwelling unit for every 20 acres. Thus, the subdivision of this property would require approval through the Growth Allocation Process, not the zoning hearing process being considered by me. Lastly, the DEPRM comment indicates that the dwelling known as 2231 Phillips Road is an abandoned structure, and therefore, is not grandfathered as nonconforming.

Apparently, the Petitioners and their engineer had not seen DEPRM's comment prior to the hearing. At the hearing, I furnished them with a copy of the comment and provided them the opportunity to submit a written response thereto. Subsequent to the hearing, a letter was received from Mr. Church, dated January 15, 1999, responding to DEPRM's comments. The Petitioners also responded in writing. The Petitioners indicated that they had fully investigated the site prior to their acquisition, and based upon the information provided to them by Baltimore County, were comfortable that their plans could move forward. Their plans are certainly understandable. Nonetheless, the Petition cannot be approved. I explain.

Irrespective of DEPRM's comment, the primary issue before me is the designation of the two dwellings on the property as nonconforming, pursuant to Section 104 of the B.C.Z.R. A nonconforming use is defined in Section 101 of the B.C.Z.R. as "A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such use." The nonconforming use designation is generally utilized to "grandfather" an otherwise illegal use. That is, under Section 104 of the B.C.Z.R., if it is established that a use predated a zoning regulation which prohibits the use, the use may continue. Simply stated, if the Petitioner can establish that a presently illegal use predated the date of the law which renders that use illegal, such use may continue.

The relevant law with which the Petitioner must contend in this case is Section 1A05.4.B.1 of the B.C.Z.R. That Section reads, in part, "In the R.C.20 zone, no lot of record having a gross area of 20 acres or less may be subdivided." In that the subject property is only 9.999 acres in area, it cannot be subdivided to create two lots.

However, there are, potentially, two circumstances upon which the Petitioners could rely to establish a nonconforming use and permit the proposed subdivision. First, if the property were

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Date 3/23/99
By [Signature]

actually comprised of two lots of record that were conveyed as a single parcel, each lot could be utilized independently. That is, if the 9.999 acre parcel were actually described in a deed in the Land Records of Baltimore County as two separate lots, irrespective of whether they were owned by a single person or conveyed in a single transfer, the Petitioners could develop each lot. Unfortunately for the Petitioners, however, this alternative is not available here. An examination of the legal description attached to the Petition shows that the entire 9.999-acre parcel was recorded as one lot of record.

A second potential approach would be to establish the character of the property as a nonconforming use through the two dwellings that exist on the site. This is obviously the approach that the Petitioners are attempting to utilize at this time and may well have been the circumstances upon which advice was given to them by Baltimore County prior to their purchase of the property. That is, the Petitioners may contend that a nonconforming use was established by virtue of the two existing dwellings, and that two dwellings are therefore permitted on the property.

The flaw in this approach, however, is found in Section 104.1 of the B.C.Z.R., which regulates nonconforming uses. That Section provides, in part, that nonconforming uses may continue, provided there is not "...any abandonment or discontinuance of such nonconforming use for a period of one year or more..." The undisputed testimony and evidence offered in this case was that the uninhabited dwelling has not been occupied for at least five years. Clearly, the use of that structure as a residence has been abandoned. Thus, the nonconforming use must fail on that basis.

For these reasons, the Petition for Special Hearing must be denied. There is no need for me to address the ZAC comments from DEPRM in that I must conclude that the use is nonconforming, from a zoning perspective, pursuant to Section 104. The abandonment of the uninhabited dwelling resulted in the loss of the nonconforming character of that building.

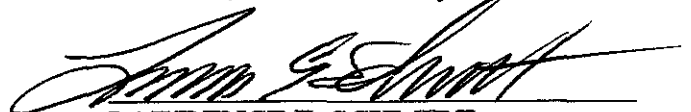
Lastly, a comment is in order regarding the contents of Mr. Malec's letter which was submitted after the hearing. I appreciate those comments and his position. It is difficult to

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By [Signature]

determine, without live witnesses, what circumstances existed prior to Mr. & Mrs. Malec's purchase of the property insofar as their contact with Baltimore County. I do not know if any County agency representative was fully aware of the facts of this case, including the abandonment of the dwelling when/if Mr. & Mrs. Malec were advised that the nonconforming use designation would attach to this property. In any event, the law is well-settled that the doctrine of estoppel is not applicable to the facts presented in this case. Thus, I decline to utilize that doctrine to support the Petitioner's request.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, and for the reasons set forth herein, the relief requested shall be denied.

23rd THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of March, 1999 that the Petition for Special Hearing to approve two dwellings on the subject property as legal and nonconforming, and to permit the subdivision of said property to create two separate lots, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

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DATE 3/23/99
bjs



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

March 22, 1999

Mr. & Mrs. Patrick J. Malec
2229 Phillips Road
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of Golupski Road
(2229 and 2231 Phillips Road)
15th Election District – 5th Councilmanic District
Patrick J. Malec, et ux - Petitioners
Case No. 99-207-SPH

Dear Mr. & Mrs. Malec:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Thomas A. Church, Development Engineering Consultants, Inc.
6603 York Road, Baltimore, Md. 21212

People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #2229 & 2331 PHILLIPS ROAD
which is presently zoned RC-20

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE NON-CONFORMING USE OF TWO DWELLINGS ON A LOT, A NON-CONFORMING SETBACK,
AND PROPOSED SUBDIVISION OF SAID LOT.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

N/A
Name - Type or Print
Signature
Address Telephone No.
City State Zip Code

Attorney For Petitioner:

Name - Type or Print
Signature
Company
Address Telephone No.
City State Zip Code

Legal Owner(s):

PATRICK J. MALEC
Name - Type or Print
Signature
FRANCES MALEC
Name - Type or Print
Signature
2229 PHILLIPS ROAD 410/682-6100
Address Telephone No.
BALTIMORE MD 21221
City State Zip Code

Representative to be Contacted:

THOMAS A. CHURCH, P.E.
Name DEVELOPMENT ENGINEERING
CONSULTANTS, INC. 410/377-2600
Address 6603 YORK ROAD Telephone No.
BALTIMORE, MD 21212
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF Date 11/16/98

220 9/15/98

ORDER RECEIVED FOR FILING
Date 11/16/98

Case No. 99-207-SPH

ZONING DESCRIPTION

FOR
#2229 PHILLIPS ROAD
ELECTION DISTRICT 15, COUNCILMANIC DISTRICT 5.

Beginning at a point at the edge of Phillips Road, which is at a distance of 750' more or less, east of the centerline of Golupski Road; being part of all that lot of ground described in a Deed dated January 26, 1998 and recorded among the Baltimore County Land Records in Liber S.M. 12628, Folio 78, now described as follows:

- 1) South 71 degrees 59 minutes 00 seconds East 744.37 feet
- 2) South 74 degrees 28 minutes 00 seconds East 72.60 feet
- 3) North 77 degrees 03 minutes 00 seconds East 50.90 feet
- 4) North 72 degrees 42 minutes 00 seconds East 99.40 feet
- 5) North 86 degrees 50 minutes 00 seconds East 46.20 feet
- 6) South 66 degrees 05 minutes 00 seconds East 30.70 feet
- 7) South 26 degrees 34 minutes 00 seconds East 146.00 feet
- 8) South 48 degrees 33 minutes 00 seconds West 57.30 feet
- 9) North 47 degrees 42 minutes 00 seconds West 95.20 feet
- 10) North 89 degrees 17 minutes 00 seconds West 108.00 feet
- 11) North 68 degrees 51 minutes 00 seconds West 50.30 feet
- 12) South 48 degrees 41 minutes 00 seconds West 96.80 feet
- 13) South 22 degrees 44 minutes 00 seconds West 382.90 feet
- 14) North 73 degrees 07 minutes 00 seconds West 264.00 feet
- 15) North 86 degrees 07 minutes 00 seconds West 99.00 feet
- 16) North 77 degrees 07 minutes 00 seconds West 82.50 feet

207

99-207-SPH

17) North 07 degrees 53 minutes 02 seconds East 36.50 feet
18) North 74 degrees 40 minutes 00 seconds West 305.00 feet
19) North 16 degrees 26 minutes 00 seconds East 523.41 feet
to the place of beginning.

Containing 9.99 acres of land, more or less.

98-129

11/13/98



**NOTICE OF ZONING
HEARINGS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-207-SPH
2229 & 2331 Phillips Road
S/S Phillips Road, 750' E of
centerline Golupski Road
15th Election District
5th Councilmanic District
Legal Owner(s): Frances &
Patrick J. Malec

Special Hearing: to approve
the non-conforming use of
two dwellings on a lot, a non-
conforming setback, and pro-
posed subdivision of said lot.
Hearing: Tuesday, January
12, 1999 at 11:00 a.m. in
Room 407, County Courts
Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
please contact the Zoning
Commissioner's Office at
410-887-4386.

(2) For information concern-
ing the File and/or Hearing,
contact the Zoning Review Of-
fice at 410-887-3391.

12/29/98 Dec. 24 C280043

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/23/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 12/23/, 1998.

THE JEFFERSONIAN,

A. Henrickson
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 060746

DATE 11/16/98 ACCOUNT B-001-615-000

AMOUNT \$ 50.00

RECEIVED FROM: Dev. Eng'ng Consultants, Inc.

2229 & 2331 Phillips Rd. Item # 207

FOR: 03-SPH Taken by: JRF

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME

11/16/1998 11/16/1998 11:01:07

REG 4806 CASHIER LEMI LXS DRWSP

5 MISCELLANEOUS CASH RECEIPT

Receipt # 083677

DR NO. 060746

50.00 (TTL)

Baltimore County, Maryland

99-207-SPH

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case # 99-207-SPH
Petitioner/Developer:
(Frances Malec)
Date of Hearing/Closing:
(Jan. 12, 1999)

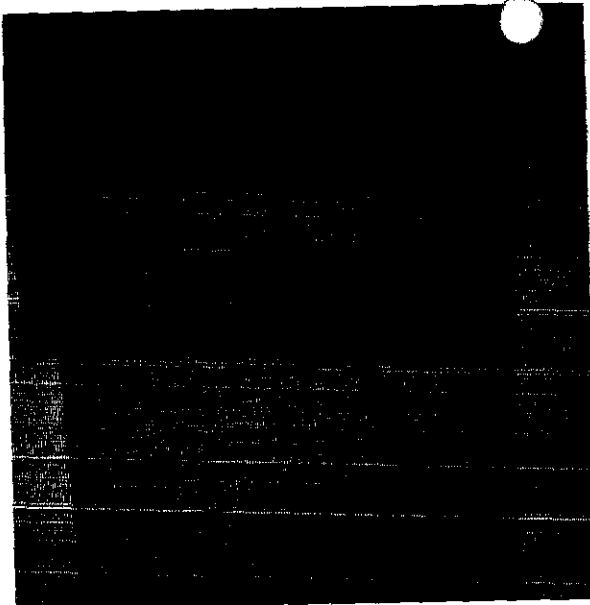
**Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

**This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
2229 & 2331 Phillips Road Baltimore, Maryland 21221 _____**

**The sign(s) were posted on _____ Dec. 26, 1998 _____
(Month, Day, Year)**



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 207

Petitioner: Pat. Malec

Location: 2229 & 2331 Phillips Road Balto. Co.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DEVELOPMENT ENGINEERING CONSULTANTS, INC.

ADDRESS: 6603 YORK RD.

BALTIMORE, MD., 21212

PHONE NUMBER: 410-377-2600

AJ:ggs

(Revised 09/24/96)

99-207-SPH

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-207-SPH

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Hearing - for non-conforming use of
two dwellings on a lot.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

99-207-SPH

TO: PATUXENT PUBLISHING COMPANY
December 17, 1998 Issue – Jeffersonian

Please forward billing to:
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

410-377-2600

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-207-SPH
2229 & 2231 Phillips Road
S/S Phillips Road, 750' E of centerline Golupski Road
15th Election District – 5th Councilmanic District
Legal Owner: Frances & Patrick J. Malec

Special Hearing to approve the non-conforming use of two dwellings on a lot, a non-conforming setback, and proposed subdivision of said lot.

HEARING: Monday, January 4, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 1, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-207-SPH
2229 & 2231 Phillips Road
S/S Phillips Road, 750' E of centerline Golupski Road
15th Election District – 5th Councilmanic District
Legal Owner: Frances & Patrick J. Malec

Special Hearing to approve the non-conforming use of two dwellings on a lot, a non-conforming setback, and proposed subdivision of said lot.

HEARING: Monday, January 4, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, reading "Arnold Jablon" with a small "scj" monogram at the end.

Arnold Jablon
Director

c: Frances & Patrick Malec
Development Engineering Consultants, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 21, 1998.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
December 24, 1998 Issue – Jeffersonian

Please forward billing to:

Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

410-377-2600

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-207-SPH

2229 & 2331 Phillips Road

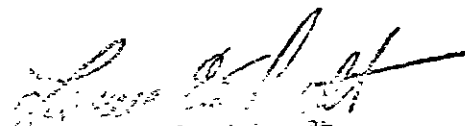
S/S Phillips Road, 750' E of centerline Golupski Road

15th Election District – 5th Councilmanic District

Legal Owner: Frances & Patrick J. Malec

Special Hearing to approve the non-conforming use of two dwellings on a lot, a non-conforming setback, and proposed subdivision of said lot.

HEARING: Tuesday, January 12, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LS
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

12/14/98
S
WCR

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: December 14, 1998
Permits and Development Management

FROM: R. Bruce Seeley, Project Manager/*WMS*
Environmental Protection and Resource Management

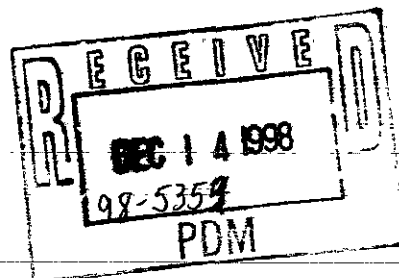
SUBJECT: Zoning Item # 99-207-SPH-2229 and 2331 Phillips Road
Zoning Advisory Committee Meeting of November 30, 1998

The Department of Environmental Protection and Resource Management cannot support the request for approval of the referenced Zoning Petition. The following comments are offered on the Zoning Item:

1. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through Section 26-461 and other Sections of the Baltimore County Code).
2. The property is located in a Resource Conservation Area which limits density to one dwelling unit for every twenty (20) acres. Subdivision would require growth allocation. The growth allocation process, not the Zoning Special Hearing process, should be used to determine if subdivision is appropriate.
3. The frame dwelling (2331 Phillips Road) is an abandoned structure, and is not grandfathered. Therefore, we believe that Section 103.5.C of the Baltimore County Zoning Regulations do not apply.
4. Since the aforementioned structure is abandoned, the request to have two non-conforming use of two "dwellings" is unclear. The proposal is not consistent with Resource Conservation Area requirements.
5. A 10,000 square foot septic reserve area would need to be established for each lot. This would require passing percolation tests.

For the reasons listed, this Department recommends DENIAL of the subject zoning relief requested.

Any questions regarding these comments may be directed to me at (410)-887-5859.





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

November 30, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 30, 1998

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

206, (207) 209, 210, 211, 212, 213, 214, and 185

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1101F

cc: File



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: December 18, 1998

FROM: Robert W. Bowling, Supervisor
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for December 7, 1998
 Item No. 207

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the flood plain elevation in all construction.

The minimum flood protection elevation for this site is 11.0 feet.

RWB:HJO:jrb

cc: File

ZONE1207.207

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

for
10/4
P.P.
1/12

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: December 2, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 204, 205, 207, 210, 211, and 213

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Jeffrey W Long

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 11. 27. 94

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 207 JRF

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1. Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
2229 & 2331 Phillips Road, S/S Phillips Rd,
750' E of c/I Golupski Rd, 15th Election District,
5th Councilmanic

Legal Owners: Patrick J. Malec

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-207-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, P.E., Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212, representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 14, 1998

Mr. Thomas A. Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

Dear Mr. Church:

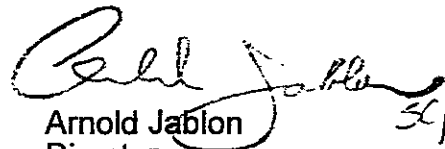
RE: Case Number 99-207-SPH, 2229 & 2331 Phillips Road

The above matter, previously assigned to be heard on Monday, January 4, 1999 has been postponed at your request.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so.

If the property has been posted with notice of the hearing date, as quickly as possible a notice of postponement should be affixed to the sign(s). Then, upon notification of the new hearing date, such sign(s) must be changed to give notice of the new hearing date.

Very truly yours,


Arnold Jablon
Director

AJ:scj

c: Frances & Patrick Malec

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 15, 1998

Mr. Thomas A. Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, MD 21212

Dear Mr. Church:

RE: Case Number 99-207-SPH, 2229 & 2331 Phillips Road

The above matter, previously assigned to be heard on January 4, 1999 has been **rescheduled for Tuesday, January 12, 1999 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small mark below it.

Arnold Jablon
Director

AJ:scj

c: Frances & Patrick Malec

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Zoning Commissioner

April 20, 1999

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Mr. Carl Maynard, President
Back River Neck Peninsula Community Association
1546 Denton Road
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of Golupski Road
(2229 and 2231 Phillips Road)
15th Election District – 5th Councilmanic District
Patrick J. Malec, et ux - Petitioners
Case No. 99-207-SPH

Dear Mr. Maynard:

It has been brought to my attention that you and Mr. Sennett were not forwarded a copy of the Order that was issued in the above-captioned matter, dated March 23, 1999. Please accept my apologies for this oversight and find enclosed herewith a copy of that Order for your records. You will be happy to note that I denied the Petitioners' request.

In the meantime, however, Mr. Bronstein, attorney for the Petitioners, has filed a Motion for Reconsideration, in which he indicates that the Petitioners were not adequately represented at the hearing. He further requests an opportunity to present additional testimony and evidence in support of their request.

Please be advised that I have granted their request for reconsideration and have rescheduled the case for further proceedings. You will note that a hearing on the Motion has been scheduled for Wednesday, May 19, 1999 at 9:00 AM in Room 106 of the County Office Building. In the meantime, should you have any questions on the subject, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Leroy Sennett
1716 Beachwood Avenue, Baltimore, Md. 21221
Case File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 19, 1999

Benjamin Bronstein, Esquire
George & Bronstein
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
S/S Phillips Road, 750' E of the c/l of Golupski Road
(2229 and 2231 Phillips Road)
15th Election District - 5th Councilmanic District
Patrick J. Malec, et ux - Petitioners
Case No. 99-207-SPH

Dear Mr. Bronstein:

This letter is to confirm that the above-captioned matter has been postponed from its original continued hearing date of May 19, 1999 and reset for a continued hearing on Tuesday, June 15, 1999, at 9:00 AM in Room 407 of the County Courts Building. By copy of this letter, all parties have been notified of the rescheduled continued hearing date and time. As was previously required, the property shall be reposted with a notice announcing the continued hearing date, time and location. Thank you for your attention in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Patrick J. Malec
2229 Phillips Road, Baltimore, Md. 21221
Mr. Thomas A. Church, Development Engineering Consultants, Inc.
6603 York Road, Baltimore, Md. 21212
Mr. Carl Maynard, 1546 Denton Road, Baltimore, Md. 21221
Mr. Leroy Sennett, 1716 Beachwood Avenue, Baltimore, Md. 21221
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

AS1001B

DATE: 01/12/99

STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:17:05

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL
 15 16 350410 15 3-3 34-00 H NO
 MALEC PATRICK J
 MALEC FRANCES
 2229 PHILLIPS RD

FM DATE
 09/18/98

DESC-1.. IMPS9.90 AC SS PHILLIPS
 DESC-2.. 3050 SE HOLLY NECK ROAD
 PREMISE. 02229 PHILLIPS

RD
 00000-0000

BALTIMORE MD 21221-6211 FORMER OWNER: PHILLIPS WILLIAM B

FCV		PHASED IN	
PRIOR	PROPOSED	CURR	CURR
LAND: 108,900	172,720	FCV	ASSESS
IMPV: 125,770	131,860	TOTAL.. 304,580	121,830 112,510
TOTL: 234,670	304,580	PREF... 0	0 0
PREF: 0	0	CURT... 304,580	121,830 112,510
CURT: 234,670	304,580	EXEMPT.	0 0
DATE: 11/93	10/96		

----- TAXABLE BASIS ----- FM DATE
 99/00 ASSESS: 121,830 09/18/98
 98/99 ASSESS: 112,510 09/18/98
 97/98 ASSESS: 103,180 08/27/97

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

AS1001C

DATE: 01/12/99

STANDARD ASSESSMENT INQUIRY (2)

TIME: 14:17:28

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL FM DATE
 15 16 350410 15 3-3 34-00 H NO 09/18/98

LOT....	BOOK....	0000	MAP.....	0105	LOT WIDTH.....	.00
BLOCK..	FOLIO...	0000	GRID....	0003	LOT DEPTH.....	.00
SECTION..			PARCEL..	0087	LAND AREA..	9.900 A
PLAT..					YEAR BUILT.....	00

-----TRANSFER DATA-----

NUMBER..... 126949
 DATE..... 01/26/98
 PURCHASE PRICE..... 425,000
 GROUND RENT..... 0
 DEED REF LIBER..... 12628
 DEED REF FOLIO..... 0078
 CONVEYED IND..... 1
 TOT-PART TRAN IND..... T
 GRANTOR ACCT NO.. 15-16-350410

-----EXEMPT DATA-----

STATUS..... 0
 CLASS CODE..... 000
 STATE EXEMPT CODE..... 000
 COUNTY EXEMPT CODE..... 000
 CURR STATE EX ASMT.... 0
 PRIOR STATE EX ASMT... 0
 CURR COUNTY EX ASMT... 0
 PRIOR COUNTY EX ASMT.. 0

CRITICAL NEW CONST CARD

AREAS CODE YEAR NO

-----STRUCTURE-----

CODE SQ. FEET

15607

3792

ENTER-INQUIRY3 PA1-PRINT PF2-INQUIRY1 PF4-MENU PF5-QUIT PF7-CROSS REF

MARYLAND PROPERTY VALUATION RECORD
RESIDENTIAL WORKSHEET

1. PROPERTY ADMINISTRATIVE DATA

Account No. 04151516350A10
District 15
Card Seq 756070000000
Owner's Name MALEC PATRICK J
Address 2229 PHILLIPS RD
Census 15.08 CommSubset 78
Microcal No 74644
NVI/Model No 193
Occupancy H
Curtilage 235780

Date Printed 01/12/1999
Zoning
Year Built 1974
Grade 3
Condition Average
DwellingType stdUnit
Foundation Area 2603
Enclosed Area 3792.3
Sec. 1 Perimeter 200
Total Perimeter 232

2. DWELLING COST CALCULATION

SEC.	STORY	TYPE	SQUARE FEET	RATE	COST
1	1.5u/Br	Stone	2,379	11.24	26,735
2	1.5u/Br	Stone	224	48.68	10,903

3. SUBTOTAL: DWELLING SQUARE FOOT COST

180,660 **

4. OTHER CHARGES

ITEM	TYPE	SIZE/UNITS	RATE	COST
Roof	Compshg			
Individual Downer		4	680.00	2,720
Heat	HotAir			
FPW	FP2stBr	1	3,360.00	3,360
Porch#1	Portoop	160	21.80	3,488
BaseAdj		-468	7.80	-3,650

5. SUBTOTAL: OTHER CHARGES

5,910 **

6. TOTAL DWELLING BASE COST

186,570 ***

Cost Index		
Replacement Cost New (RCN)	X	1.09
Less Depreciation		203,361
Subtotal: RCN Less Depreciation	46%	-93,546
Market Value Index	X	1.00

7. DWELLING VALUE

109,810 ***

8. ACCESSORY STRUCTURES

TYPE	GRADE	SIZE/UNITS	RATE	DEPR	COST
1 FPCR		1,189	26.16	0.75	7,776
6'W Pier	3	140	79.78	60%	6,468
BOATHSE		1	8,720.00		8,720
DRUGS 2		1	1,090.00		1,090

9. TOTAL ACCESSORY STRUCTURES VALUE

22,050 ***

10. TOTAL IMPROVEMENT VALUE

131,860 ****

11. LAND VALUATION

Land Type	Land11	SIZE AcPc	RATE	ADJUSTMENT	COST
Other Infl 1	Wrtfnt				
Primary	1	105,000.00			105,000
SECONDARY.	Other Land				
TENTRY.	4	10,500.00			42,000
Total Land Size	4.9	5,250.00			25,725

12. TOTAL LAND VALUE

172,720 ****

13. TOTAL PROPERTY VALUE

304,580 ****

MAKE CHECKS
PAYABLE TO:
BALTIMORE COUNTY, MD.

BALTIMORE COUNTY, MARYLAND
STATE AND COUNTY REAL PROPERTY TAX BILL

TAXPAYER'S COPY
DETACH AND RETAIN
TELEPHONE: 410-887-2403

LEVY PERIOD
JULY 1, 1988-JUNE 30, 1989

ASSESSMENT
112,510

BILL DATE
07/01/88

PROPERTY
STATUS

ASSESSMENT
112,510

LEVY PERIOD
JULY 1, 1988-JUNE 30, 1989

CHARGES
3,212.16

RATE
2.855

PROPERTY
STATUS

CHARGES
3,212.16

PROPERTY
STATUS

CHARGES
3,212.16

PROPERTY
STATUS

CHARGES
3,212.16

3722.54



OWNER'S NAME AND ADDRESS
MALEC PATRICK J
MALEC FRANCES
2228 PHILLIPS RD
BALTIMORE MD 21221

OWNER'S NAME AND ADDRESS
MALEC PATRICK J
MALEC FRANCES
2228 PHILLIPS RD
BALTIMORE MD 21221

GROSS BILL

LOT

BLOCK

SEC

PIRI

BOOK

FOLIO

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000

000

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INTEREST/
DISCOUNT
NET

PROPERTY DESCRIPTION
3050 SE HOLLY NECK ROAD
9.80 AC SS PHILLIPS
2228 PHILLIPS

LOT

BLOCK

SEC

PIRI

BOOK

FOLIO

00

000

000

000

CONSTANT YIELD 2.810 DIFFERENCE 0.045

12/10/98 To: Sarah
P. Wick ok

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

December 10, 1998

Baltimore County
Department of Permits
and Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Mr. Arnold Jablon
Director

Gentlemen:

Subject: Special Hearing
Case Number: 99-207-SPH
2229 & 2331 Phillips Road
Malec Property
Our Contract No.: 98-129

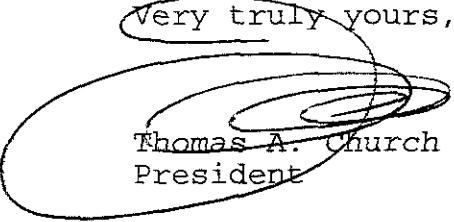
We are requesting a postponement of the Special Hearing scheduled for Monday, January 4, 1998 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

I will be unable to represent Mr. Malec, since I will be returning from out of state on noon of January 4, 1998.

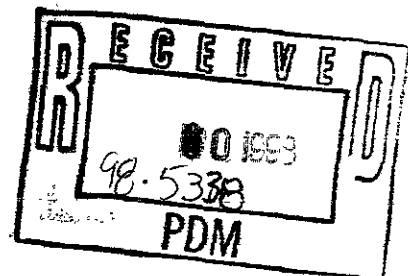
We would greatly appreciate a rescheduling of the Special Hearing as soon as possible.

If any questions arise relative to the above, please do not hesitate to contact our office.

Very truly yours,


Thomas A. Church
President

cc: Mr. Patrick Malec



DEVELOPMENT ENGINEERING CONSULTANTS, INC.

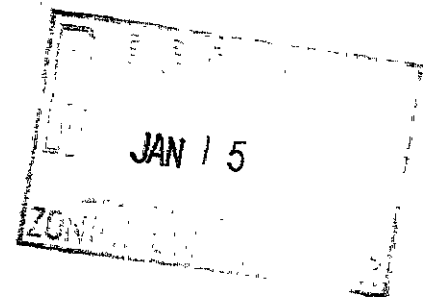
Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

January 15, 1999

Baltimore County
Office of the Zoning Commissioner
County Courts Building
401 Bosley Avenue
Towson, MD 21204

Attention: Mr. Lawrence E. Schmidt
Zoning Commissioner



Gentlemen:

Subject: Zoning Item #99-207-SPH 2229 and 2231 Phillips Road
Hearing Date: Tuesday, January 12, 1999
Our Contract No.: 98-129

We thank you for this opportunity to respond to DEPRM's comments dated December 14, 1998 relative to the subject zoning hearing. DEPRM submitted five comments supporting their denial of the petitioner's request to correct a non-conforming use of two dwellings on one lot, a non-conforming setback and a proposed subdivision of said lot into two lots, one for each dwelling.

We will respond to DEPRM's comments item by item as follows:

1. Comment: Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through Section 26-461 and other Sections of the Baltimore County Code).

Response: We have reviewed the critical area regulations and will comply to any regulations that pertain to this property. The shoreline will not be disturbed. To the best of our knowledge, there are no wetlands. The 100 year floodplain as shown on our exhibit will be honored with its respective 25 foot setback. In general, we can comply with these requirements.

2. Comment: The property is located in Resource Conservation Area which limits density to one dwelling unit for every twenty (20) acres. Subdivision would require growth allocation. The growth allocation process, not the Zoning Special Hearing process, should be used to determine if subdivision is appropriate.

Mr. Lawrence E. Schmidt
Zoning Commissioner
Our Contract No.: 98-129
January 15, 1999
Page No. 2

Response: It is true we are in an RC-20 zone. The parcel is approximately 10 acres and contains two legal residential dwellings on one lot. Growth allocation, we feel, does not apply since the large dwelling has existed since 1914 and the smaller dwelling has existed since the 1940's. Our request for subdivision into two lots for these two existing dwellings addresses the non-conforming use.

3. Comment: The frame dwelling (2331 Phillips Road) is an abandoned structure, and is not grandfathered. Therefore, we believe Section 103.5.C of the Baltimore County Zoning Regulations do not apply.

Response: The frame residential dwelling known as 2331 Phillips Road is not abandoned. It is presently vacant. We have contacted Mr. Ronald Tolson, Assistant Supervisor, State of Maryland, Department of Assessments (410/321-3998). He has provided us with their residential worksheet that shows that they use two dwellings in the real estate tax computations. This worksheet is attached. Also attached is a tax bill that was paid in 1998 by the Malecs. Mr. Tolson can corroborate that two dwellings do exist and taxes have been paid for the last 25 years or longer.

Section 103.5.C does in fact apply, and states, "Growth allocation will not be required for the subdivisions of land where each resultant parcel or lot contains a dwelling which existed on December 1, 1985." By our request for subdivision into two lots, each resultant residential lot would contain one existing dwelling that meets the December 1, 1985 criteria.

4. Comment: Since the aforementioned structure is abandoned, the request to have two non-conforming use of two "dwellings" is unclear. The proposal is non consistent with Resource Conservation Area requirements.

Response: Since the structures are not abandoned and since they are on a single lot there is a non-conforming use. The RC-20 requirements of one lot per 20 acres cannot be met and is, therefore, non-conforming. The existence of the dwellings preceded the RC-20 designation.

Mr. Lawrence E. Schmidt
Zoning Commissioner
Our Contract No.: 98-129
January 15, 1999
Page No. 3

5. Comment: A 10,000 square foot septic reserve area would need to be established for each lot. This would require passing percolation tests.

Response: We have been in contact with Bill Ensor of the groundwater division of DEPRM. A relocated house will require a new septic reserve area. This area will have to perc or an alternate solution will be required. Sand mounds are presently used in these peninsular areas where soils provide minimal percolation. He feels an acceptable system can be provided.

In summary, Mr. Malec and his wife purchased this property with the desire to correct the non-conforming use by establishing two lots, one for their use where they can raze the smaller dwelling that exists in the floodplain, move it back to higher ground, connect to public water, provide a safe sewage system and raise their family on the larger lot. The other lot could be maintained as a rental property or liquidated to provide funds for their own improvements.

There is no intention to increase the number of dwellings beyond what exists today. This is not a subdivision of land to build additional dwellings. The house to be razed has been in poor condition as the previous owner, William Phillips, did not have the finances or health to make the improvements the Malecs propose.

A favorable decision would certainly improve the health, safety and welfare of the people in the area.

Hopefully, this response will clarify and address DEPRM's concerns. We are enclosing an additional copy of this letter if you desire to share this information with the concerned community association.

Very truly yours,



Thomas A. Church
President

Enclosures

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

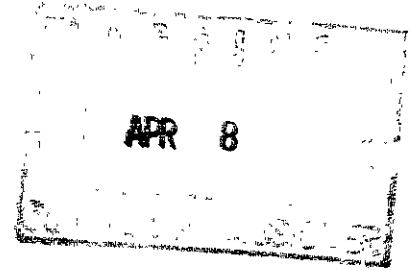
HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

VICTORIA M. SHEARER

CONSTANCE K. PUTZEL
OF COUNSEL

April 7, 1999

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
County Courts Building
Suite 405
401 Bosley Avenue
Towson, Maryland 21204



RE: Petition for Reconsideration
Case No.: 99-207-SPH

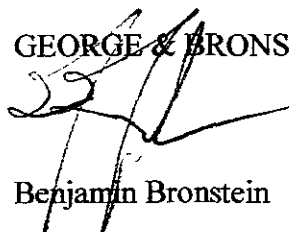
Dear Commissioner Schmidt:

Enclosed please find a Petition for Reconsideration for filing in the above entitled case. I am requesting that you rescind your prior Order in order to grant us sufficient time to prepare this case for a full hearing. This matter is of great urgency to Mr. and Mrs. Malec who will suffer a huge financial loss.

Thank you for your kind consideration.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh
Enclosure

cc: Mr. and Mrs. Patrick Malec (with enclosure)
Thomas A. Church, P.E. (with enclosure)

LAW OFFICES
GEORGE AND BRONSTEIN, LLP

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX: (410) 296-3719

MAY 13

HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN

May 12, 1999

CONSTANCE K. PUTZEL
OF COUNSEL

VIA FAX 410-887-3468
AND FIRST CLASS MAIL

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
County Courts Building, Suite 405
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
S/S Phillips Road, 750' E of the c/1 of Golupski Road
(2229 and 2331 Phillips Road)
15th Election District - 5th Councilmanic District
Patrick J. Malec, et ux - Petitioners
Case No.: 99-207-SPH

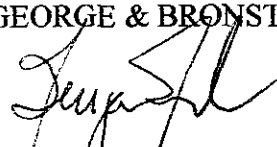
Dear Commissioner Schmidt:

In your letter of April 20, 1999 granting a postponement in the above-entitled case you required that the property be re-posted. Unfortunately, that requirement was overlooked and I cannot have the property re-posted in a timely manner. If it is convenient for you, I am available to have this case rescheduled for hearing on Tuesday, June 15th, Thursday, June 17th and Friday, June 18th. I regret the oversight and inconvenience.

Thank you for your kind consideration.

Very truly yours,

GEORGE & BRONSTEIN, LLP


Benjamin Bronstein

BB/mlh

cc: Mr. and Mrs. Patrick Malec
Thomas A. Church, P.E.
Mr. Carl Manynard
Mr. Leroy Sennett
People's Counsel

June 9, 1999

The Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Suite 405
Towson, Maryland 21204

RE: **Petition for Special Hearing**
2229 and 2331 Phillips Road
Case No.: 99-207

Dear Commissioner Schmidt:

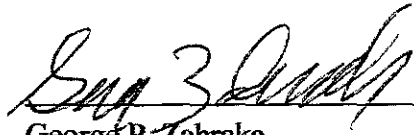
Because of a severe physical injury resulting from an accident, I am unable to physically appear at the zoning hearing scheduled on June 15, 1999 in reference to the above-entitled case. I reside at 2300 Golupski Road, Baltimore County. My property adjoins the subject property. While I am opposed to a subdivision of 2229 and 2331 Phillips Road, I am not opposed to continuing the use of each building as a residence.

I understand that there is a question as to the continued use of 2331 Phillips Road as a residence. I am very familiar with this property, having lived on the adjoining property since my birth on August 2, 1945. During all of that time, 2331 Phillips Road has been used as a residential structure. I distinctly remember people occupying the house during the summer months up until the time Mr. Phillips, the prior owner, died. I also know that Mr. Malec, the current owner, has used 2331 as a residential structure. While Mr. Phillips owned the property, there were two other smaller houses which he had raised years ago.

Again, I regret my inability to appear; however, I am available to talk with you by telephone. My phone number is 410-686-6989.

The statements in this letter are made on personal knowledge.

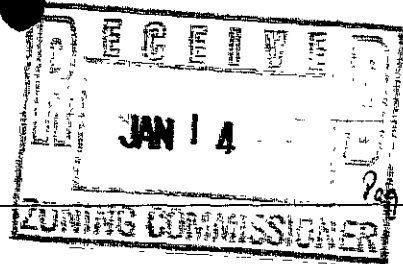
Sworn and subscribed under the penalty of perjury this 10th day of June, 1999.


George P. Zahraka
2300 Golupski Road
Baltimore, Maryland 21221

Ref No 2

1/14/99

CASE # 99-207-SPH



Dear MR Zoning Commissioner,

My Name is Portrick J. Malec, I am 37 Years Old, I've lived in Baltimore County all my life in the Back River Neck Peninsula. I am Married to Frances Dorn and we have 3 sons, Brandon - 13, Nicholas - 5, Vincent - 3. I've had a dream for Years to own waterfront in Balto. County. Which many other have to, But my dream became a chance for Reality in Nov. 1997, MR- Phillips had called Frances's Dad and ask if Frances and I could stop over his house and talk to him 2229 Phillips Rd, He was Ready to Sell the Property to Us. MR Phillips was now 83 Years Old and Said that the Up-Keep and Maintenance were to much for him since his wife Harriet past away in Nov. 1992. Upon this Conversation I told MR Phillips I had a few concerns about the property that I needed to check out with Baltimore County first, He said no Problem. My main concern was the Ant House on the Property. We wanted to tear it down and build a new Farm House from the beginning, So I went out with the Plot of the property and the Tax I.O. # 15-16-350410. When I arrive at the Permits Bldg. I went and talk to Shron and Tim

in Permits, they look over my papers and said there was no such address as 2331 Phillips Rd under that Tax I.D. #. I told them that there were 2 Houses on one piece of Property, so they said there was nothing more that they could do they sent me to Zoning. I went to Zoning there I talk to a fellow by the Name of John L. He look over all my Papers and seemed to Understand the Situation, he said yes there could be two Dwellings on One Property due to Mr Phillips owning the ^(H) since 1920, he sent me to the DRC. Room to get address Verification from a fellow name Joe Semora which he said would Established legal Residence. I then Proceeded to his Dept., in which he took me into a Room with many Plots and began to look up the address 2331 which he found and show me the dwelling on the Plot and said that that was a legal House and address in Baltimore County. I went back and told John L. what Joe had said, he said that was good. He then said that I should walk over to the Environmental Dept. since I am already here and show them my Plot and where I would like to move the House. So

then I proceeded to the New Courts Bldg across a street and went to the Environmental Dept. A Receptionist greeted me and ask me to take a seat, a few minutes later a Woman approach me and introduce herself as Pat, I Remember this because my name is Pat also, Anyway I show her my papers and Plat and Specifically show her the 2nd House on the water 34 feet from the Bulkhead and told PAT that my Wife and I wanted to move that house back 200-250 Feet from the water. At that time she told me that that was a favorable move with her Dept. and wish that other people wouldn't build so close to the water. I then told her that we were going to buy the Property and that once we were situate we would be submitting our Permits to do this.

Mr Commissioner I am not asking to be treated Special, I am Simply asking to be treated FAIRLY. I thought by checking these Factors out before we Purchase the Property that we would be able to go through Proper Procedures with Baltimore County to tear down the old House and build a new One, I believe in the

System, I am not asking for anything new, I simply want to tear down a old home builded in the mid 1940's which 4 Different Families lived and raise children for over 48 years that I know of, and build a new home for My Family where we plan to reside for the Rest of my life. I am not trying to HURT the Property in anyway, I am only trying to IMPROVE IT !!

Please Consider all the Facts when making your Decision in this case, Thank you!

Sincerely,

PATRICK + FRANCES MALEC

410-687-3629

1/14/99

To: Zoning Commissioner
MR. LARRY

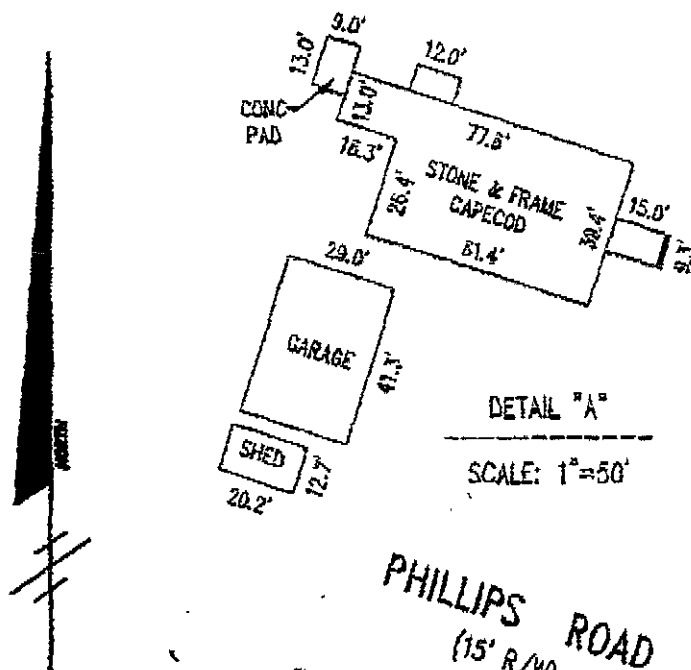
REF: CASE # 99-207-SPH
2029 + 2331 Phillips Rd

From: Patrick + Frances Malec

PROTESTANT(S) SIGN-IN SHEET

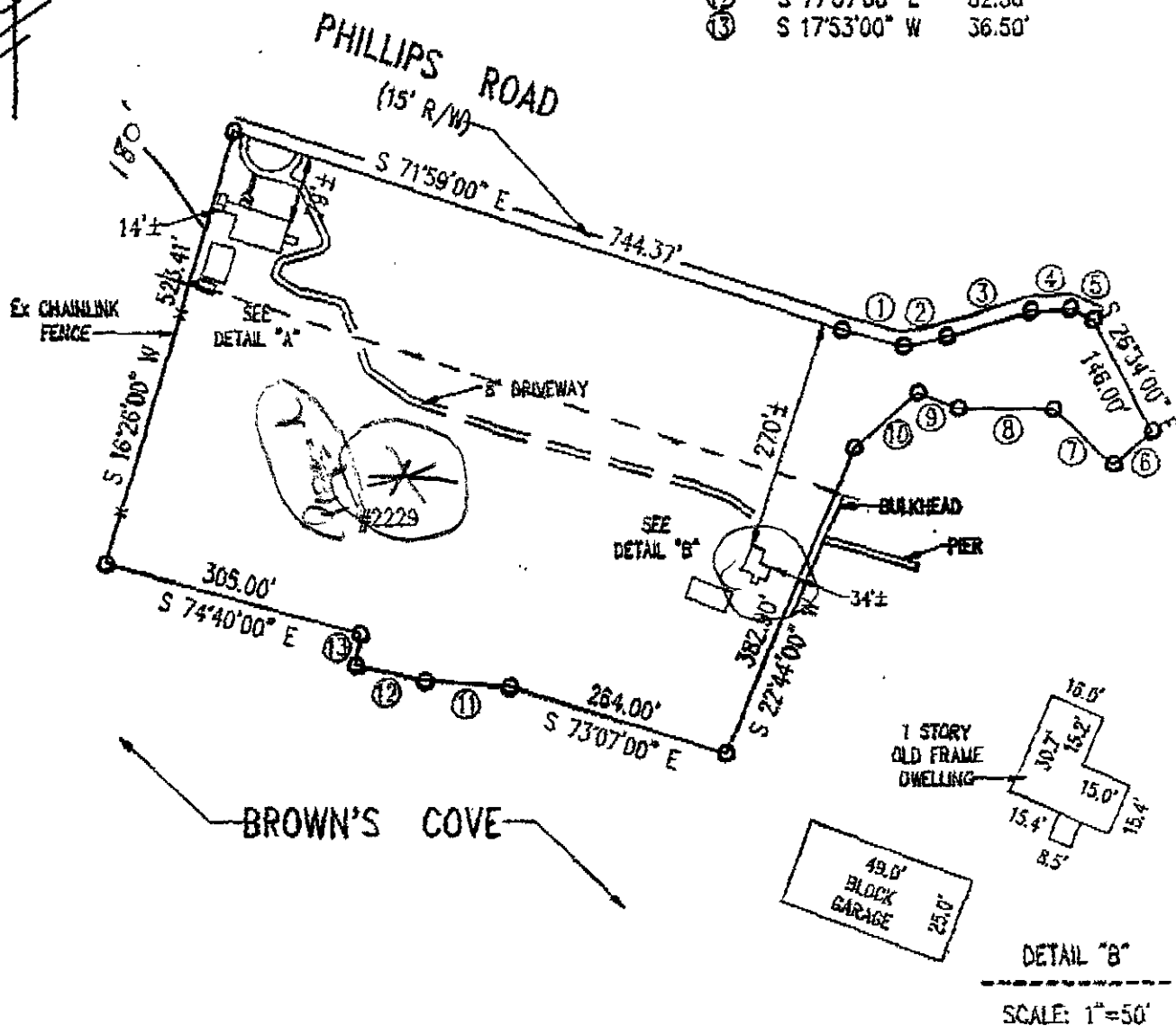
ADDRESS

Carl Maymarch 1546 Denton Rd 21221
Pres. Back River Neck Peninsula Community Assn.
HEROY SENNETT (B.R.N.P.C. ASSC) 1716 BEACHWOOD AVE 21221



BEARING & DIST TABLE

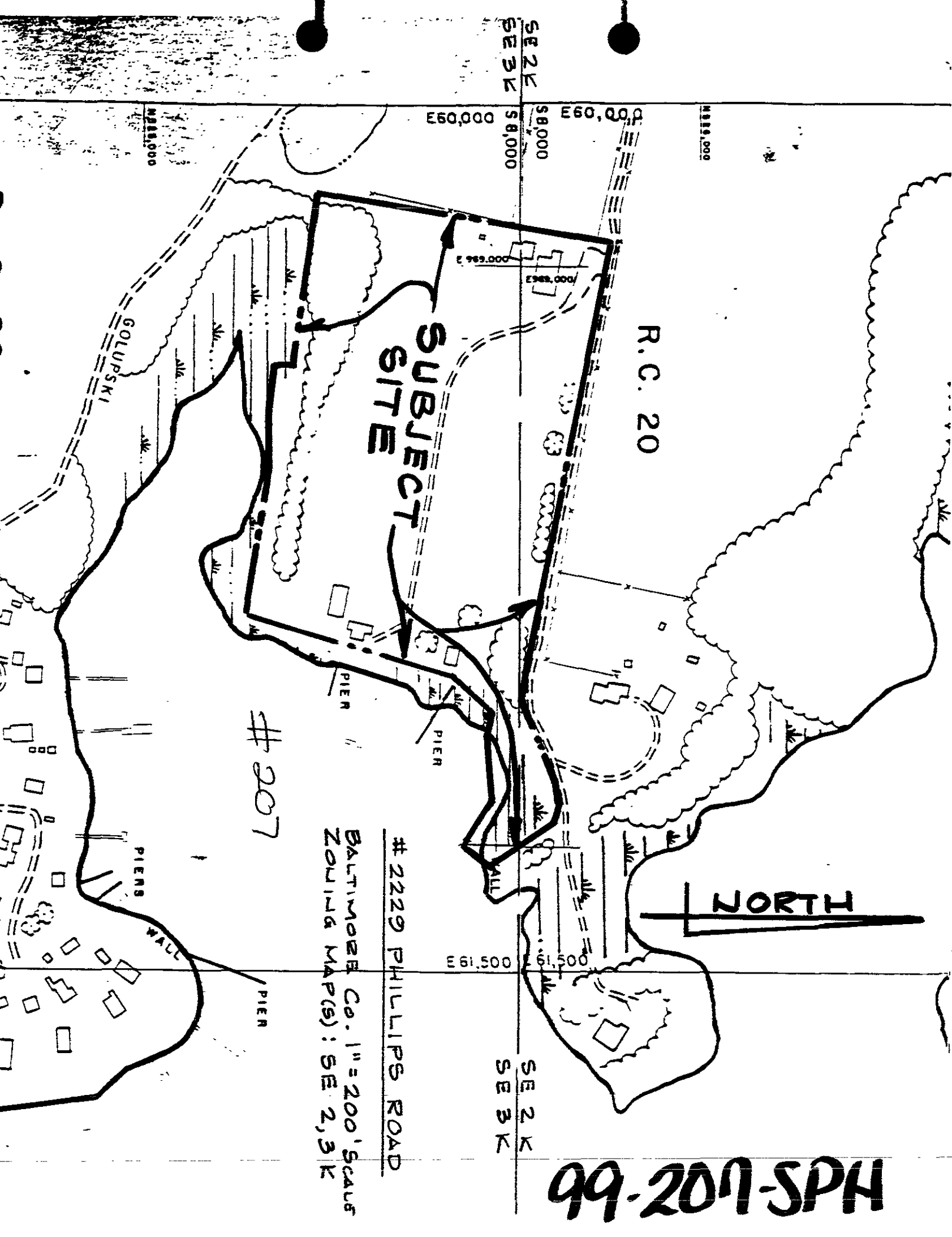
LINE NO.	BEARING	DISTANCE
①	N 74°28'00" W	72.60'
②	S 77°03'00" W	50.90'
③	S 72°42'00" W	99.40'
④	S 86°50'00" W	48.20'
⑤	N 66°05'00" W	30.70'
⑥	N 48°33'00" E	57.30'
⑦	S 47°42'00" E	95.20'
⑧	S 89°17'00" E	108.00'
⑨	S 68°51'00" E	50.30'
⑩	N 48°41'00" E	96.80'
⑪	S 86°07'00" E	99.00'
⑫	S 77°07'00" E	82.50'
⑬	S 17°53'00" W	36.50'



1. This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plat is not to be relied upon for the establishment or location of fences, garages

Setback Accuracy 1'±/-

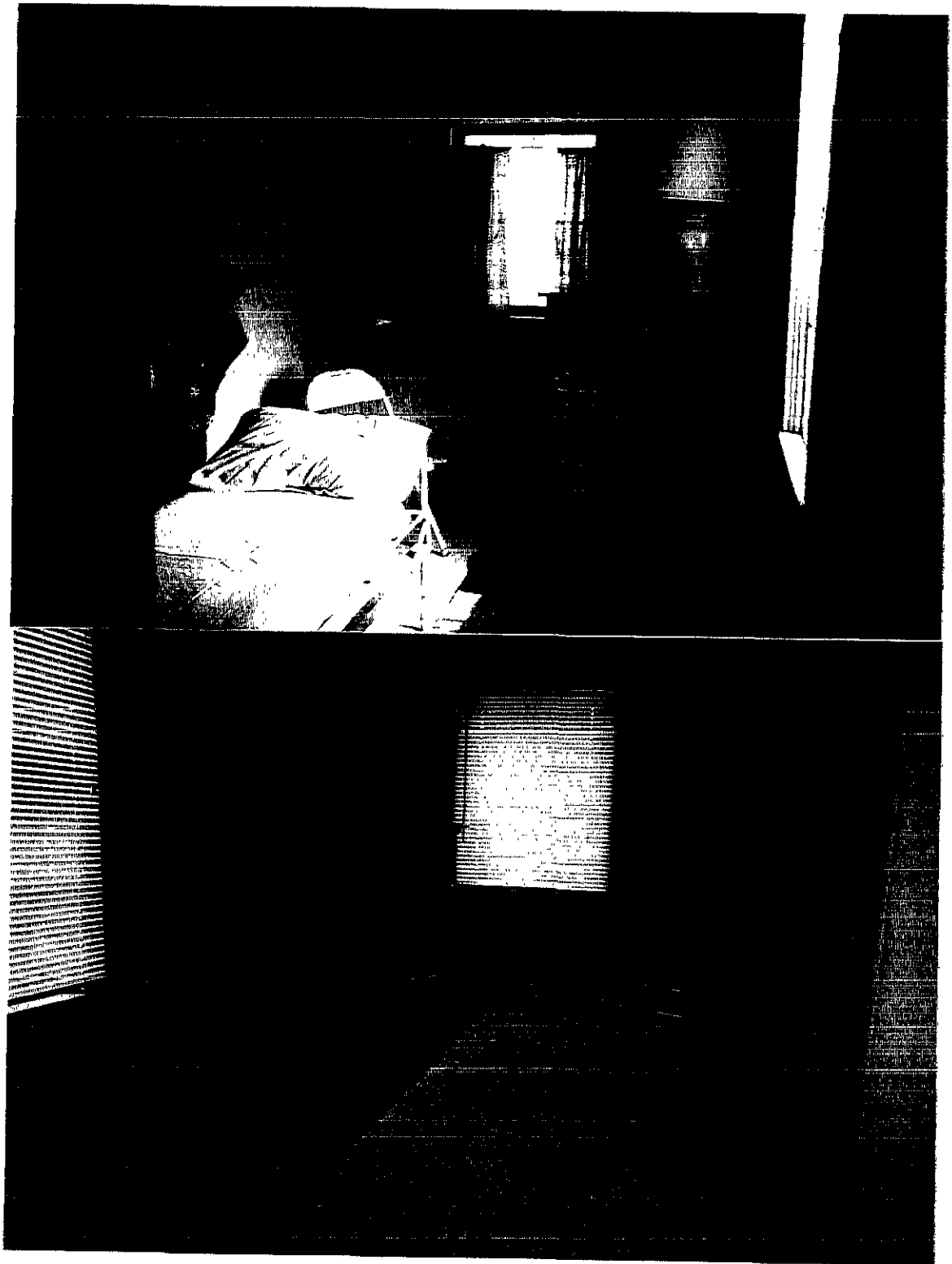
I HEREBY CERTIFY THAT THE IMPROVEMENTS SHOWN IS NOT LOCATED WITHIN THE 100 YR. FLOOD PLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP

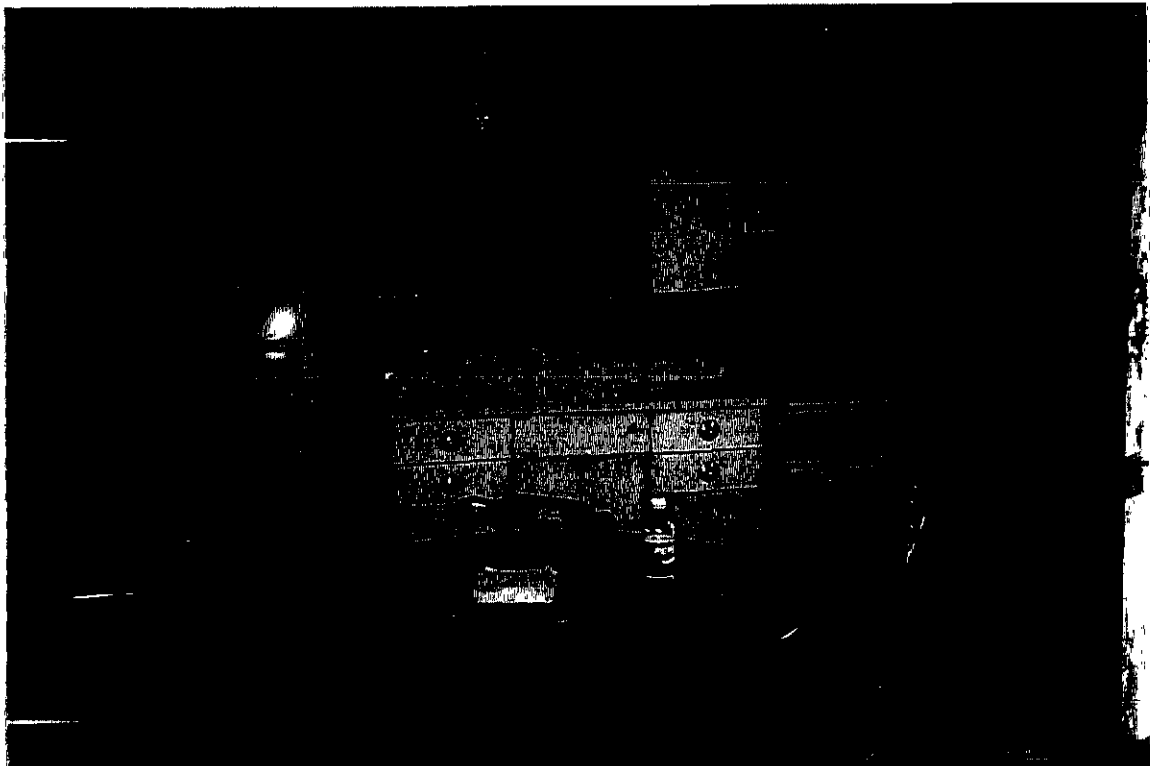


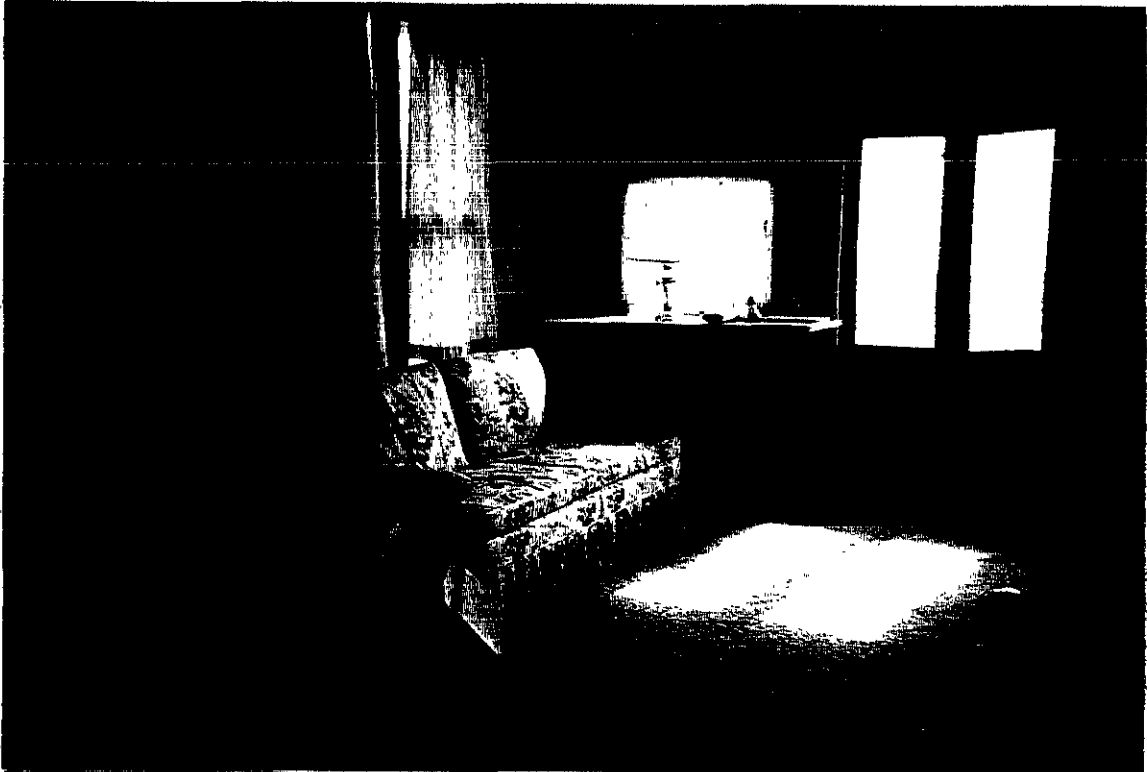
99-207-SPH

photograph

99-207-5PH

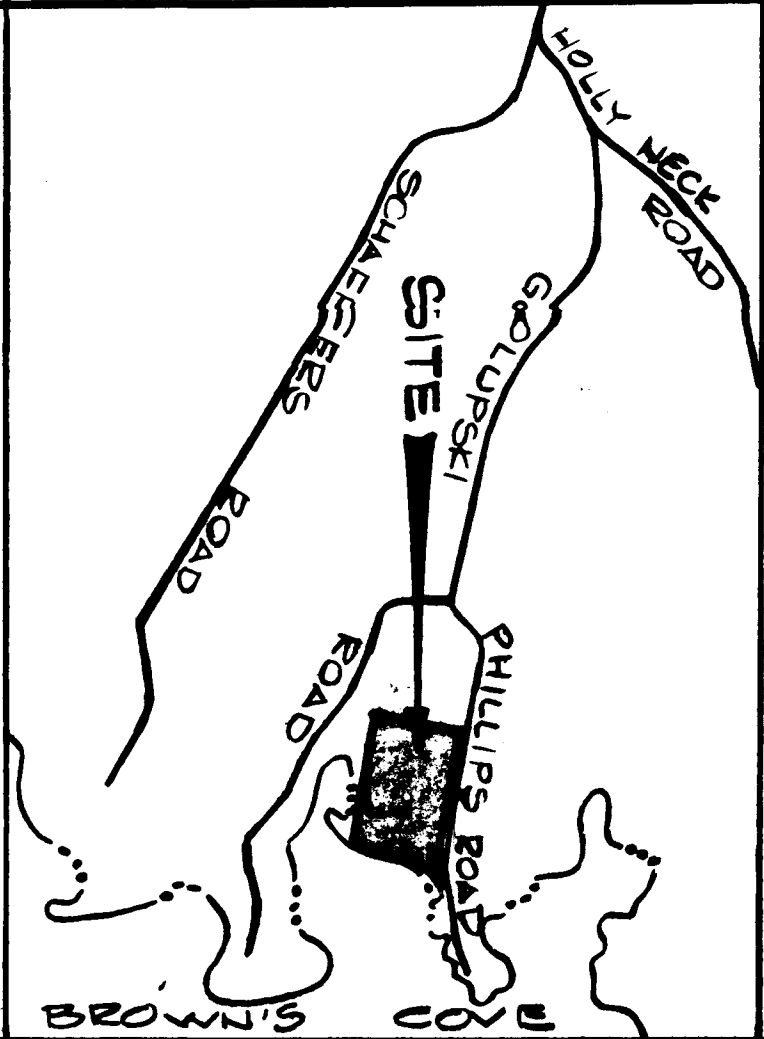
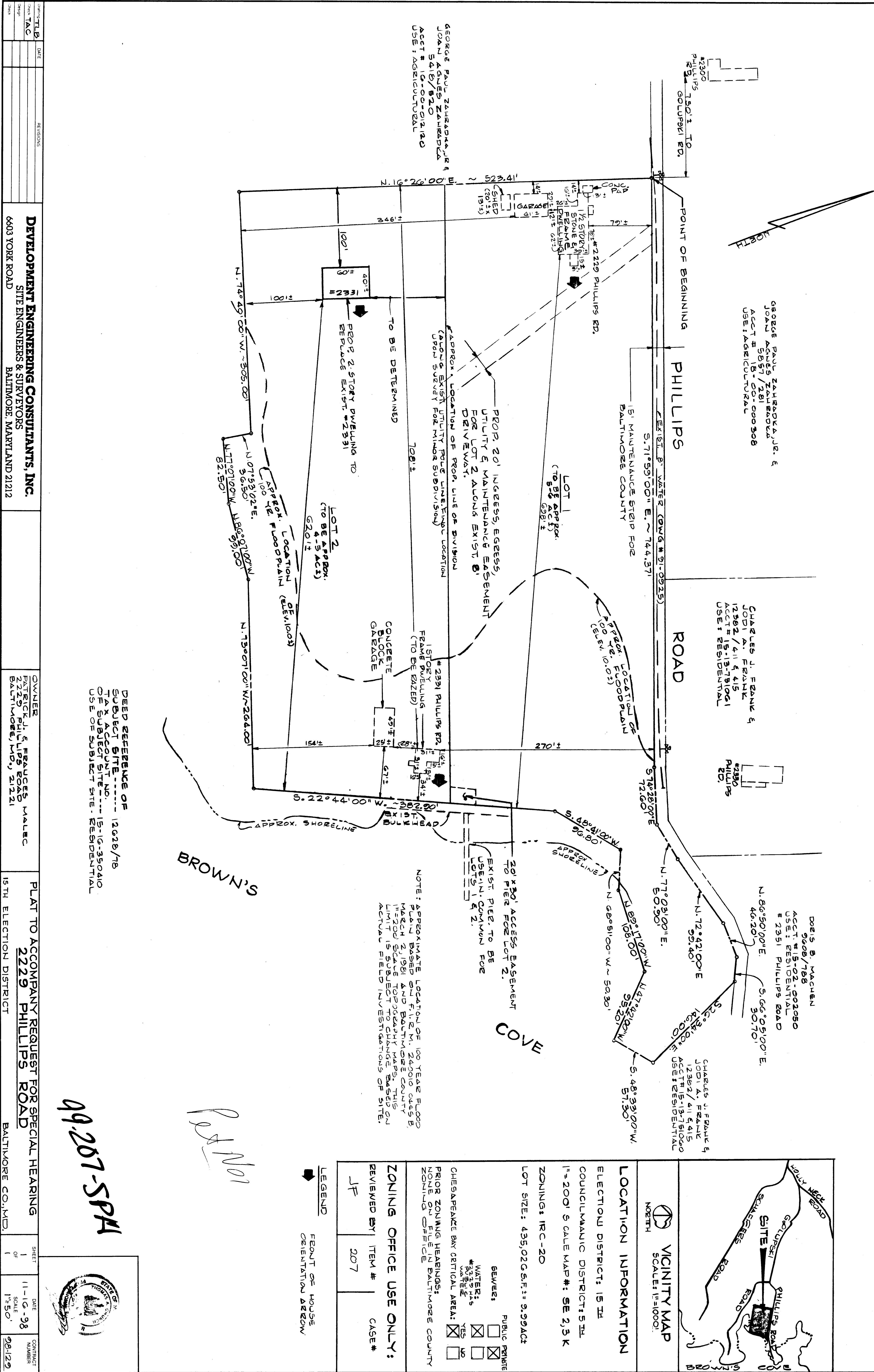








PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL HEARING



VICINITY MAP
SCALE: 1"=1000'

LOCATION INFORMATION
ELECTION DISTRICT: 15 TH
COUNCILMANIC DISTRICT: 5 TH
1"=200' SCALE MAP #: SE 2,3 K
ZONING: IRC-20
LOT SIZE: 435,020 S.F. = 9.99 AC

SEWER:	<input type="checkbox"/> PUBLIC	<input checked="" type="checkbox"/> PRIVATE
WATER:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
WATER:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
CHESAPEAKE BAY CRITICAL AREA:	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
PRIOR ZONING HEARINGS:	NONE ON FILE IN BALTIMORE COUNTY ZONING OFFICE	

ZONING OFFICE USE ONLY:
REVIEWED BY: JF
ITEM #: 207
CASE #:

LEGEND
POINT OF HOUSE ORIENTATION BELOW

99-207-SPH

DATE	REVISIONS	OWNER	PLAT TO ACCOMPANY REQUEST FOR SPECIAL HEARING	SHEET	DATE	CONTRACT
TAC		PATRICK J. & FEANUS MAREC	2229 PHILLIPS ROAD	1	11-16-98	98129
DATE		BALTIMORE, MD, 21221	15TH ELECTION DISTRICT	1	11-50'	
DEVELOPMENT ENGINEERING CONSULTANTS, INC.			BALTIMORE, MARYLAND 21212			
SITE ENGINEERS & SURVEYORS						